IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HON'BLE THE ACTING CHIEF JUSTICE
MR.K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 2ND MARCH 2007 / 11TH PHALGUNA 1928

WP(C).No. 5468 of 2007(A)

PETITIONERS:
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1. ST.FRANCIS XAVIER'S FORANE CHURCH,
ARNOS NAGAR, VELUR P.O.-680 601, THRISSUR,
REP. BY ITS VICAR REV.FR.JOHN KOLLANNUR.

2. T.C. VAREED, S/O. CHERU,
AGED 64 YEARS, THEKKEKARA HOUSE, P.O. VELUR BAZAR,
VELUR, THRISSUR (TRUSTEE, ST.FRANCIS XAVIER'S
FORANE CHRUCH, ARNOS NAGAR, VELUE).

BY ADV. SRI.SHOBY K.FRANCIS
SRI.JIPSON ANTONY

RESPONDENTS:
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1. SUPERINTENDENT OF POLICE,
THRISSUR DISTRICT.

2. CIRCLE INSPECTOR OF POLICE,
WADAKANCHERY CIRCLE OFFICE, WADAKANCHERY P.O.,
THRISSUR DISTRICT.

3. SUB INSPECTOR OF POLICE,
ERUMAPETTY POLICE STATION, ERUMAPETTY P.O.,
THRISSUR.

4. KURIAN, S/O. THOMAKUTTY,
ALOOR ATTATHRA HOUSE, VELUR VILLAGE, DESOM,
VELUR P.O., THRISSUR DISTRICT.

ADDL. R5: THE DIRECTOR OF ARCHAEOLOGY,
DEPARTMENT OF ARCHAEOLOGY,
THIRUVANANTHPAURAM.

IMPLEADED AS ADDITIONAL R5 AS PER ORDER IN I.A.3045/07 ON 27/2/2007.

BY SENIOR GOVERNMENT PLEADER SMT. K. MEERA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 02/03/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

EXT. P1	TRUE COPY OF G.O.(P) 13/95 CAD DATED 23/5/95.
EXT.P2	TRUE COPY OF LETTER DATED 21/6/05 ISSUED BY THE SECRETARY TO GOVERNMENT TO THE 1ST PETITIONER.
EXT.P3	TRUE COPY OF LETTER DATED 1.8.95 ISSUED BY THE GOVERNMENT SECRETARY TO THE 1ST PETITIONER.
EXT.P4	TRUE COPY OF ORDER OF THE DIRECTOR OF THE ARCHAEOLOGY DATED 21.11.06.
EXT.P5	TRUE COPY OF INTERIM ORDER DATED 25.1.07 WPC 34329/06.
EXT.P6	TRUE COPY OF COMPLAINT SUBMITTED BY THE PETITIONERS TO 1ST RESPONDENT DATED 17.2.07.
EXT.P7	TRUE COPY OF COMPLAINT SUBMITTED BY THE PETITIONERS TO 2ND RESPONDENT DATED 17.2.07.
EXT.P8	TRUE COPY OF COMPLAINT SUBMITTED BY THE PETITIONERS TO 3RD RESPONDENT DATED 17.2.07.

[True copy]

P.A. to Judge.

K.S. RADHAKRISHNAN(AG.C.J.) & M.N. KRISHNAN,J.

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W.P.C. NO. 5468 OF 2007

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Dated this the 2nd day of March, 2007.

J U D G M E N T

Radhakrishnan,(Ag.C.J.)

This writ petition is preferred seeking a direction to issue a writ of mandamus directing the respondents 1 to 3 to provide adequate and sufficient police protection to the lives of the petitioners as against 4th respondent stating that 4th respondent is obstructing the construction of the gate on the north-eastern corner of church compound as well as re-construction of compound wall. The learned Government Pleader on instructions submitted that since it is a protected site no direction could be given to the police to grant protection for the construction. In such circumstances, we find no reason to grant the reliefs. Petitioner, if so advised, may work out their remedies elsewhere. Police, however, would maintain law and order.

The writ petition is disposed of as above.

K.S. RADHAKRISHNAN,
(AG. CHIEF JUSTICE).

M.N. KRISHNAN, JUDGE.

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